

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY WILLIAMS,

Plaintiff,

v.

PA DEPT OF CORRECTIONS, et al.,

Defendants.

CIVIL ACTION NO. 1:14-CV-01338

(RAMBO, J.)
(MEHALCHICK, M.J.)

REPORT AND RECOMMENDATION

On July 14, 2014 Plaintiff Anthony Williams, a state prisoner proceeding *pro se*, filed a complaint pursuant to [42 U.S.C. § 1983](#). ([Doc. 1](#)). On August 14, 2014, Williams filed a motion to proceed *in forma pauperis*, as well as an accompanying document titled “Relief Due to Imminent Danger under Extraordinary Circumstances.” ([Doc. 6](#)). On August 27, 2014, this Court entered an Order denying Williams’s motion to proceed *in forma pauperis* and directing him to pay the applicable filing fee in full. Specifically, Williams’s motion for leave to proceed *in forma pauperis* was denied because he accrued three strikes prior to the filing of this action pursuant to [28 U.S.C. § 1915\(g\)](#) and could not demonstrate that he was entitled to proceed *in forma pauperis* under the “imminent danger” standard. ([Doc. 11](#)). On September 23, 2014, Williams filed a Motion for Reconsideration of this Court’s August 27, 2014 Order denying him *in forma pauperis* status. ([Doc. 12](#)). On October 9, 2014, this Court denied that motion and warned Williams that failure to pay the filing fee in full within thirty (30) days of October 9, 2014 would result in a recommendation that his action be dismissed. ([Doc. 13](#)). More than thirty (30) days have passed since this Court’s October 9, 2014 Order and Williams has not paid the applicable filing fee. ([Doc. 13](#))

AND NOW, this 18th day of November, 2014, upon Williams failure to pay the applicable filing fee within thirty (30) days as directed by this Court's October 9, 2014 Order ([Doc. 13](#)), it is hereby recommended that:

1. The court enter an Order **DISMISSING** the case;
2. The Clerk of Court be directed to **CLOSE** the case.

BY THE COURT:

Dated: November 18, 2014

s/ *Karoline Mehalchick*
KAROLINE MEHALCHICK
United States Magistrate Judge

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NOTICE

NOTICE IS HEREBY GIVEN that the undersigned has entered the foregoing **Report and Recommendation** dated **November 18, 2014**.

Any party may obtain a review of the Report and Recommendation pursuant to Rule 72.3, which provides:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in [28 U.S.C. § 636\(b\)\(1\)\(B\)](#) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Dated: November 18, 2014

s/ Karoline Mehalchick
KAROLINE MEHALCHICK
United States Magistrate Judge